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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,609	02/20/2002	Duncan Boniface	CEL1.0020	9556

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EXAMINER

NGUYEN, TUAN DUC

ART UNIT PAPER NUMBER

2643

DATE MAILED: 10/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/081,609

Applicant(s)

BONIFACE, DUNCAN

Examiner

Tuan D. Nguyen

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 17, 22-24 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent number 4,590,332 (Delbuck).

Regarding claim 1, Delbuck discloses a pole piece (figure 8, item 30) for a loudspeaker assembly, comprising: a cylindrical body having an end face; said end face having a blind recess with a circumferential wall; and said circumferential wall having heat-dissipating ribs.

Regarding claims 2-4 and 17, the claim limitations of these claims read on figure 8.

Regarding claim 22, Delbuck discloses a loudspeaker assembly, comprising: a housing (figure 8); a diaphragm (25) supported by said housing; a moving coil (47) coupled to said diaphragm; a permanent magnet (41) encircling said coil; a pole piece (30) having an end face communicating with ambient atmosphere; said pole piece at least partially disposed within said coil; and said end face having a blind recess with a circumferential wall having heat-dissipating ribs.

Regarding claims 23-24, the claim limitations of these claims read on figure 8.

Regarding claim 26, this claim has all elements as in claim 22. Therefore this claim is rejected for the same reasons as in claim 22.

3. Claims 1, 7-14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent number 5,497,428 (Rojas).

Regarding claim 1, Rojas discloses a pole piece (figure 2, item 19) for a loudspeaker assembly, comprising: a cylindrical body having an end face; said end face having a blind recess with a circumferential wall; and said circumferential wall having heat-dissipating ribs.

Regarding claims 7-14, the claim limitations of these claims read on figure 2.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 6, 15, 16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent number 4,590,332 (Delbuck).

Regarding claims 5, 6, 15, and 18-20, Delbuck does not disclose a specific dimension and configuration of a pole piece. However, Delbuck does not restrict to any specific configuration.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use alternative configuration for maximizing the cooling of the speaker by Delbuck.

Regarding claim 16, Delbuck does not disclose said body is forged.

The forging process is well known.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the well-known forging process to form the body.

6. Claims 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent number 5,497,428 (Rojas).

Regarding claims 21 and 25, Rojas discloses a loudspeaker assembly, comprising: a housing (figure 2); a diaphragm (4) supported by said housing; a moving coil (9) having a travel path; said moving coil coupled to said diaphragm; a permanent magnet (11) encircling said coil; a pole piece (19) having an end face communicating with ambient atmosphere; said pole piece at least partially disposed within said coil; said end face having a blind recess with a tapered circumferential wall decreasing in diameter away from said end face; said circumferential wall having heat-dissipating ribs tapered in a shape corresponding to a taper of said circumferential wall; and said circumferential wall having a wall span disposed substantially within said travel path.

Rojas does not disclose the pole piece or the cylindrical body is forged.

The forging process is well known.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the well-known forging process to form the pole piece or the cylindrical body.


***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan D. Nguyen whose telephone number is (703) 305-7168. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

TDN  
10/1/03

  
CURT KUNTZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2000